

wonderful family and their endless love and support.

Sandy and I send our condolences to Mike's wife Diana, their children, grandchildren, and the entire Enzi clan. We are grateful to them that they shared their beloved patriarch with us for so many years.

The PRESIDING OFFICER. The Senator from Wyoming.

#### NOMINATION OF TRACY STONE-MANNING

Mr. BARRASSO. Mr. President, I come to the floor this afternoon because we have heard a lot here today about Tracy Stone-Manning, her nomination to head the Bureau of Land Management, and how completely disqualified she is for that post.

As you have heard, it is a critically important Agency, especially for those of us in Western States. It manages almost one-eighth of the entire land mass of the United States. In my home State of Wyoming, the Bureau of Land Management oversees 18 million acres. If you came to the Energy Committee, and as I told my friend and colleague JOE MANCHIN, that is more territory than the entire State of his home State of West Virginia; and in the case of the Presiding Officer, more than the size of your State by a lot.

It is not just my State. This Agency oversees 12 million acres of public land in Arizona, 48 million acres of land in Nevada, and 8 million in Montana. It is like that all across the West. Included in the land that it manages is almost 65 million acres of Federal forests.

The Bureau is also responsible for hundreds of millions of acres of mineral land below the surface. It is critical to America's energy independence. There is a lot of energy that is under those lands.

Tracy Stone-Manning has no business leading this agency—none whatsoever. She helped plan a tree spiking in one of our country's National Forests. She sent a threatening letter to the U.S. Forest Service about it. She did not cooperate with Federal investigators, blocked the investigation, only testified when she received immunity, and lied to our committee about it.

There is bipartisan concern about this nomination. I will tell you Bob Abbey, who was President Obama's Director of Bureau of Land Management, said that her actions "should disqualify" her. This is President Obama's nominee to run that Bureau. Because Bob Abbey understands the job and knows her involvement with tree spiking, it should eliminate her from any consideration.

So Steve Ellis, who was the Deputy Director of the Bureau of Land Management during the Obama administration, and he was the highest ranking career official at the Agency, he raised concerns about Stone-Manning as well. This is what he said. He said:

Much of the focus seems to be whether this is a Democrat or Republican thing, but [he said] the lens that I look at this through is as a 38-year career person in both agencies, and that letter she wrote went to my Forest Service colleagues on the Clearwater.

He makes a very important point. How can the men and women of the Bureau of Land Management, people who have devoted their lives to work for this Agency, how can they respect President Biden's nominee, Tracy Stone-Manning, when they know she threatened their colleagues at the U.S. Forest Service?

Conservation organizations have begun to pull their support as well. The Dallas Safari Club and the Houston Safari Club, which each represent thousands of outdoorsmen and -women have both now reversed their support and now publicly oppose her nomination now that they have learned this additional information.

Radical ideas are nothing new for Tracy Stone-Manning. Around the time of the criminal tree spiking, she wrote her graduate thesis. In her thesis, she argued that Americans need to have fewer children because children are a threat to the environment. She even made ads to promote these ideas. These are ideas you hear in Communist China, not from a nominee to be the Director of the Bureau of Land Management.

Now, some Democrats have defended Tracy Stone-Manning by saying this tree spiking was decades ago. Her radical views have not changed, I will assure you, Mr. President, because right now many States in the West are burning from raging, dangerous wildfires.

Management of these fires has become a constant conservation—or conversation at the Energy and Natural Resources Committee and on the Senate floor, and we actually discussed it this morning in the Energy and Natural Resources Committee.

Tracy Stone-Manning has current views on this one as well. Her husband, Richard Manning, wrote in Harpers that firefighters should let homes built in forests burn. He wrote:

There's a rude and satisfying justice [satisfying justice] in burning down the house of someone who builds in the forest.

Now, Tracy Stone-Manning is not responsible for the views of her husband. But last September, as wildfires burned last year—and we had hearings on those—she actually endorsed her husband's views on letting it burn and letting the houses burn. In a tweet, she called her husband's comments a clarion call. It wasn't 30 years ago. It is about 10 months ago. Tracy Stone-Manning endorsed her husband's call to action that homes in the forest should be allowed to burn.

There are currently wildfires burning in Alaska, Arizona, Colorado, California, Idaho, Montana, Oregon, South Dakota, Utah, Washington, and Wyoming. All of these States have BLM lands. This year's largest fire, the Bootleg fire, has burned over 400,000 acres, 7 homes, and more than 40 other buildings. Thousands of homes are still threatened.

This year, around 2 million acres have burned so far in the Western States. Last year alone, wildfires

burned and damaged over 17,000 structures.

And what do they call it—what does her husband call it, and what does she tweet about? "Satisfying justice in burning down the house."

How can Senate Democrats vote to confirm a nominee who has advocated to let the homes of their own constituents burn?

These views are disturbing and dangerous. President Biden has made the threat of domestic terrorism a focus of his administration. His own National Security Council recently released a strategy to address domestic terrorism. It specifically includes the threat of domestic environmental terrorists. But he has nominated someone who admitted to conspiring with terrorists.

Every Senator needs to consider carefully if they want their name associated with Tracy Stone-Manning. All 10 Republicans on the Energy and Natural Resources Committee have asked President Biden to withdraw the nomination. We all voted against her nomination last week during a committee business meeting.

She conspired with ecoterrorists. She lied to the Senate. She still holds radically reprehensible views.

Tracy Stone-Manning should never be the Director of the Bureau of Land Management. The Senate must reject her nomination. I strongly oppose her nomination and urge each and every Member to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, in Montana, public lands are a way of life. They create thousands of jobs; they bring billions of dollars into our State; and they form the backbone of our outdoor heritage.

Today—today—we have an opportunity to take another important step forward in putting a real public servant who will hold herself accountable to the taxpayer once confirmed to lead the Bureau of Land Management.

I know Tracy Stone-Manning. Tracy Stone-Manning is a tireless advocate for the outdoor spaces that make Montana special. She is a collaborative—collaborative—responsible leader, and at the BLM she will bring nonpartisan stewardship to our Nation's greatest treasures.

Tracy is dedicated to smart management of our public lands. She is dedicated to the habitat and to the outdoors and is one of the hardest working people that I know.

But, unfortunately, Members of this body have played politics with her nomination. They have dragged a good person's name through the muck in a cynical smear campaign ginned up by folks who would rather play politics than see a qualified, competent woman running the Bureau of Land Management.

Now, it is particularly galling that these same folks stood by silently—or, worse, cheered—as William Perry

Pendley led the Agency illegally, without Senate confirmation, under the previous administration: Pendley, a fringe climate change denier who explicitly called for the Federal Government to sell off all its public lands and who actively encouraged armed standoffs between law enforcement and ranchers.

It is a shame that we have people who put politics above people and our public lands, but that is the unfortunate reality of the U.S. Senate in Washington, DC.

The person these folks have made Tracy out to be is not the person that I have known and worked with over the last decade-plus. If she were that, I would not be standing here supporting her today. She will bring good old-fashioned Montana common sense to the Bureau of Land Management, along with a steadfast dedication to manage our public lands and the thousands of jobs that rely on those public lands. She will lead the Agency with dignity and honor and integrity.

And, as she has done her entire career, Tracy will bring folks together, from both sides of the aisle and all sides of the issue, to get things done and make a real impact on our public lands.

I am proud to support Tracy Stone-Manning, and I look forward to seeing the great work that she will do as the next leader of the Bureau of Land Management. I urge my colleagues to do the same.

Mr. President, I ask unanimous consent that all remaining time be yielded back.

The PRESIDING OFFICER (Mr. MARKEY). Without objection, it is so ordered.

#### VOTE ON MOTION TO DISCHARGE

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion to discharge the nomination of Tracy Stone-Manning, of Montana, to be Director of the Bureau of Land Management.

Mr. TESTER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Dakota (Mr. ROUNDS).

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 280 Ex.]

#### YEAS—50

Baldwin	Duckworth	Klobuchar
Bennet	Durbin	Leahy
Blumenthal	Feinstein	Lujan
Booker	Gillibrand	Manchin
Brown	Hassan	Markey
Cantwell	Heinrich	Menendez
Cardin	Hickenlooper	Merkley
Carper	Hirono	Murphy
Casey	Kaine	Murray
Coons	Kelly	Ossoff
Cortez Masto	King	Padilla

Peters  
Reed  
Rosen  
Sanders  
Schatz  
Schumer

Shaheen  
Sinema  
Smith  
Stabenow  
Tester  
Van Hollen

Warner  
Warnock  
Warren  
Whitehouse  
Wyden

#### NAYS—49

Barrasso  
Blackburn  
Blunt  
Boozman  
Braun  
Burr  
Capito  
Cassidy  
Collins  
Cornyn  
Cotton  
Cramer  
Crapo  
Cruz  
Daines  
Ernst  
Fischer

Graham  
Grassley  
Hagerty  
Hawley  
Hoeven  
Hyde-Smith  
Inhofe  
Johnson  
Kennedy  
Lankford  
Lee  
Lummis  
Marshall  
McConnell  
Moran  
Murkowski  
Paul

Portman  
Risch  
Romney  
Rubio  
Sasse  
Scott (FL)  
Scott (SC)  
Shelby  
Sullivan  
Thune  
Tillis  
Toomey  
Tuberville  
Wicker  
Young

#### NOT VOTING—1

#### Rounds

The motion was agreed to.  
The PRESIDING OFFICER (Mr. PETERS). The nomination is discharged and will be placed on the calendar.

The majority leader.

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 232.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Ur Mendoza Jaddou, of California, to be Director of the United States Citizenship and Immigration Services, Department of Homeland Security.

#### CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 232, Ur Mendoza Jaddou, of California, to be Director of the United States Citizenship and Immigration Services, Department of Homeland Security.

Charles E. Schumer, Richard J. Durbin, Jacky Rosen, Debbie Stabenow, Edward J. Markey, Sheldon Whitehouse, Tina Smith, Amy Klobuchar, Michael F. Bennet, Christopher Murphy, Elizabeth Warren, Jack Reed, Richard Blumenthal, Ron Wyden, Catherine Cortez Masto, Kirsten E. Gillibrand, Gary C. Peters.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum call for the cloture motion filed today, July 27, be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### U.S. SUPREME COURT

Mr. WHITEHOUSE. Mr. President, I am here once again to shed a little light on the dark money scheme to capture and control our Supreme Court.

As folks may recall, my first two speeches covered the early foundation of this scheme—a prominent conservative lawyer Lewis Powell's detailed strategy memo for the corporate U.S. Chamber of Commerce and then Justice Lewis Powell's work on the Court to assure his corporate power strategy's success.

From there, I turned to what historian Richard Hofstadter called the paranoid style in American politics and how extreme anti-government megadonors like the Kochs harness that rightwing fringe and how, at the same time, they had at their disposal the polished mercenaries of corporate administrative agency warfare.

Then I discussed the scheme's two big recent dark money wins at the Supreme Court—the AAPPF dark money case and the Brnovich voter suppression case.

The nutshell overview of all of this is that it is a short jump for big donors from regulatory capture, which is a well-understood and broadly observed phenomenon, to applying known techniques of regulatory capture to capture a court.

As the big donors had this realization and made this jump, one of their most important players in applying capture techniques to the judiciary has been the Federalist Society.

I will start with some very straightforward observations. Every member of the Court's six-Justice Republican majority is a current or former member of the Federalist Society.

Justices regularly headline Federalist Society fundraisers, like the gala Brett Kavanaugh chose for his first major public speaking engagement after his disastrous confirmation, and they boast of their association with the group. The Federalist Society is a dark money organization. It receives millions in anonymous donations.